

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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JASON BRAND

-Debtor -

IN RE CHAPTER 13 BANKRUPTCY

Case #: 819-71605-LAS

Hon. Louis A. Scarcella

**LETTER/MOTION: CREDITOR: WELLS FARGO
BANK, NA REFUSAL TO STAY STATE COURT
ACTION SUBJECT TO FED R 11 USC 362**

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RE: Jason P Brand V Wells Fargo Bank, N.A. et al -- Bronx County Supreme Court -- Index # 32851/2018E

Your Honor;

The Defendant in the above State Court Action in which I have requested that this court be removed to the District Court in which the Chapter 13 Bankruptcy Proceeding is pending, has refused to acknowledge that the Automatic Stay applies to them. I wanted to advise this court that such ongoing actions in State Court directly affect the claims and rights of the Debtor and the creditors.

As of Note: The Creditor Wells Fargo, has submitted their objection to the confirmation of the proposed Chapter 13 plan, yet is at the same time refusing to comply with the Automatic Stay of this Court.

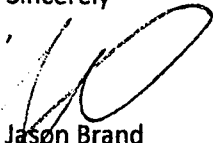
I have provided notice to the NYS Court as well as the Creditor that the Bronx Court Action must be adjudicated by the District Court in Which this Bankruptcy Filing is taking place, as the claims in this Action brought by the Debtor claim that the foreclosure action commenced by the Creditor Wells Fargo was done in violation of a Valid and Enforceable NYS Court Order, in which the Creditor acknowledged jurisdiction under, yet decided to violate such order by the use of forum shopping.

As we see here is this latest twist of events by the creditor, they have opposed the Chapter 13 Plan and its confirmation, at the same time failing to adhere to this courts Automatic Stay, and again attempting to circumvent an order of a court of law.

The Debtor is requesting that your honor issue an order holding the Creditor in Contempt, issuing an order staying the State Court Action as of the date of Filing and Notice of Filing of March 5th, 2019, together with any other relief it deems fair and just.

This Motion shall be served/filled with the Notice of Removal of this State Court action to the district in which the Chapter 13 action above is pending before this court.

Sincerely



Jason Brand

Dated April 17, 2019

CLERK
BANKRUPTCY COURT
EASTERN DISTRICT OF
NEW YORK
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RECEIVED/MR